

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-9 are presently pending in this case.

In the outstanding Official Action, Claims 1-4, 6, 8, and 9 were rejected under 35 U.S.C. §103(a) as unpatentable over Curry et al. (U.S. Patent No. 6,078,582, hereinafter “Curry”) in view of Krishnaswamy et al. (U.S. Patent No. 5,867,494, hereinafter “Krishnaswamy”). Claims 5 and 7 were rejected under 35 U.S.C. §102(e) as anticipated by Krishnaswamy.

Applicants and Applicants’ representatives thank Examiner Jaroenchonwanit for the courtesy of the interview granted to Applicants’ representatives on August 12, 2005. During the interview, differences between the claims and the cited references were discussed. Arguments based on this discussion are presented herewith. Examiner Jaroenchonwanit agreed to reconsider the rejections of record and reopen prosecution if the enclosed arguments are found to be persuasive.

With regard to the rejection of Claim 5 under 35 U.S.C. §102(e) as anticipated by Krishnaswamy, the rejection is respectfully traversed.

Claim 5 recites a client device comprising, *inter alia*:

...  
a communication device configured to communicate with said server having an access controller configured to control accessing in a closed network accessed by a plurality of clients representing a group in consideration of access priority, said access priority representing a priority of the group, only member clients of the group being accessible to said closed network;  
...

The outstanding Office Action apparently cites column 68, lines 52-57 of Krishnaswamy as describing the above-quoted element, although the claimed features of the

communication device are not listed in the outstanding Office Action, much less particularly alleged to be disclosed by the reference.<sup>1</sup> The cited portion of Krishnaswamy describes individual users accessing a messaging server. The cited portion of Krishnaswamy does not discuss a determination of *priority between two users*. Thus, there is no teaching of an access controller configured to control accessing in a closed network accessed by a plurality of clients representing a group based on an access priority, much less based on an access priority representing a priority of the group, as recited in Claim 5. Consequently, as Krishnaswamy does not teach each and every element of Claim 5, Claim 5 (and Claim 7 dependent therefrom) is not anticipated by Krishnaswamy and is patentable thereover.

With regard to the rejection of Claim 1 under 35 U.S.C. §103(a) as unpatentable over Curry in view of Krishnaswamy, the rejection is respectfully traversed.

Claim 1 recites a method for providing a network environment comprising, *inter alia*:

...  
setting said closed network for each of said clients in  
the group requesting access to a closed network in response to  
the received request and informing said client of use permission  
based on a predetermined discriminator and an access priority;  
and  
managing a use time of said closed network for the  
group, said access priority representing a priority of the group,  
only member clients of the group being accessible to said  
closed network.

In paragraph 2 on page 2, the outstanding Office Action cited Curry as teaching “setting an individual network for each of said clients requesting to provide a closed network in response to the received request and informing to said client of use permission with a predetermined discriminator and an access priority” at column 5, lines 28-32 and column 12, lines 16-19. However, it is respectfully submitted that neither section of Curry teaches or suggests “a predetermined discriminator” or “an access priority” as recited in Claim 1.

---

<sup>1</sup>See the outstanding Office Action, page 4, lines 1-4.

Column 5, lines 28-32 of Curry discusses the creation of a single communication link between a first and second telephony server. There is no discussion relating to multiple users, much less a teaching or suggestion for "informing said client of use permission based on a predetermined discriminator and an access priority," as recited in Claim 1.


Column 12, lines 16-19 of Curry discusses user access *permissions*, not access *priorities*. A user access permission, as discussed by Curry, is a criterion for determining if a single user may be granted access to a particular resource. There is no discussion in Curry of a determination of *priority between two users* to determine which of the two users may access a resource *first*. Further, there is no teaching or suggestion of a predetermined discriminator. Accordingly, since Curry does not teach or suggest "informing said client of use permission based on a predetermined discriminator and an access priority," it is respectfully submitted that Claim 1 is patentable over Curry in view of Krishnaswamy.

Independent Claims 2-4 and 9 recite similar elements to Claim 1. Thus, it is respectfully submitted that independent Claims 2-4 and 9 (and Claims 6 and 8 dependent therefrom) are patentable over any combination of Curry and Krishnaswamy for at least the reasons discussed above with respect to Claim 1.

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters  
Attorney of Record  
Registration No. 28,870

Customer Number

22850

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)